

**STATE COMMITTEE OF INTERPRETERS
DIVISION OF PROFESSIONAL REGISTRATION
3605 MISSOURI BOULEVARD
Jefferson City, Missouri
March 23, 2001 – Open Minutes**

The meeting of the Missouri State Committee of Interpreters was called to order at 10:15am by Kimberly McEnulty, Chairperson, at the Division of the Professional Registration, 3605 Missouri Blvd, Jefferson City, Missouri.

Members Present:

Kimberly McEnulty
Loretto Durham
Carrie McCray
Sandy Drummond
Betty Kramer

Staff Present:

Pamela Goose, Executive Director
Roxy Brockman, Licensing Technician II
Mary Bryan, Asst Attorney General

Visitors:

Diana Dickrader, Advent Interprises
Stephanie Tevenal, Columbia Interpreting Services
Roy E. Miller, Executive Director, Missouri Commission for the Deaf
Roger Brown, Missouri Commission for the Deaf
Trina Natori, University of Missouri, KOMU
Osamu Fujimaru, University of Missouri, KOMU

Review and Approval of Agenda:

A motion was made by Loretto Durham and seconded by Carrie McCray to approve the agenda. The motion carried unanimously

Review and Approval of Open Minutes:

A motion was made by Loretto Durham and seconded by Sandy Drummond to approve the open minutes from the February 2, 2001 and February 6, 2001 Full Committee conference calls. The motion carried unanimously

Election of Officers:

A motion was made by Kim McEnulty and seconded by Betty Kramer to nominate Loretto Durham as Chairperson. Ms. Durham was elected as Chairperson by acclamation.

A motion was made by Sandy Drummond and seconded by Loretto Durham to nominate Betty Kramer as Secretary. Ms. Kramer was elected as Secretary by acclamation.

Ms. McEnulty remained chair for the duration of the meeting.

Meetings Attended

- *MCD/BCI Joint Meeting* -- Sandy Drummond attended the joint meeting on March 9, 2001. Ms. Drummond said the joint meeting was in regard to the set of rules that have been drafted and developed by Dr. Roy Miller. She said that Dr. Miller indicated he had hoped for a joint meeting between the BCI and MCD on March 9, 2001 and wanted BCI to make their recommendations at that time. However, the BCI had a quorum and made their recommendations but the MCD, which has rulemaking authority, did not have a quorum on that day. She said it is hoped that MCD will vote on the recommendations at their next scheduled meeting on April 24-25, 2001. She reported the following were recommendations and discussions by the BCI and how they may affect licensure.

Recommendation: Change the word "permit" through out their rules to the word "certification".

Rationale: This change is being recommended because permit gives the impression of licensure and permission to work.

Recommendation: Change the name of "level 1 -- provisional permit" to "novice" certification.

Rationale: The purpose of this change is due to their law, which says that the BCI has the authority to grant a provisional license for a period of one year. Their intention is to be able to issue the level one certification for longer than one year.

Recommendation: Levels one and two become permanent and issued without expiration dates.

-- Currently provisional certification is issued for one year with the possibility of a one-year extension. At the end of two years the interpreter has to test at a higher level of certification or they lose certification.

-- Currently apprentice certification is issued for two years with the possibility of a two-year extension. At the end of four years the interpreter has to test at a higher level of certification or they lose certification.

If levels one and two become permanent, the interpreter would have a renewable certification, would not need to retest but would only need to complete an application and provide CEU evidence. It is hoped this would alleviate the backlog of tests that need to be evaluated.

Ms. Drummond said there was a great deal of discussion in regard to the recommendation of making the level one and level two permanent. One rationale was that it would decrease the number of people required to do evaluations, which would take a load off the evaluation system. The system is currently called an "up and out" system, which means a person has to get to the next level eventually or would be kicked out of the certification system until they could achieve a higher certification level. She said Dr. Miller pointed out that this would be forcing competent general practitioners out of the work force. She said other discussion pointed out that the BCI has considered level three to be equivalent to a competent general practitioner. The market would encourage professional development because of the

requisite skill levels portion of the certification rule. If someone wants to work they have to have a certain level of certification that would allow them to perform a wider variety of things – and those requisite skill levels severely limit the scope of work that a level one or level two interpreter could do. The market would encourage them to continue to progress through the system and through the levels of certification.

Ms. Drummond said that Dr. Miller voted to recommend that level 1 and level 2 become permanent and the BCI voted to recommend to MCD that level 1 and 2 become non-renewable certifications. Non renewable would mean that they would have a certain time limit (2 years) and the person would have to re-test when certification expires. The interpreter would not be kicked out of the certification system if they did not improve their certification level but instead stayed at the same level.

She said they defined the term renewable as certificate levels three, four and five. She said an interpreter would complete appropriate application, and provide CEU documentation. Non-renewable was defined as having an expiration date, re-testing and provide CEU documentation.

ITPs do not currently produce level 3 graduates. She said she did not think that any of the ITPs in the state produced 80% of their graduates at a level three. Ms. Drummond said that we need to find a way to train interpreters so when they graduate or have completed their training, they are considered at entry level for the profession which is considered to be level three.

Recommendation: That the temporary restricted permit in education (TRPED) be eliminated.

Rationale: The school is awarded the TRPED not the interpreter which means that we as the licensing board cannot discipline the school, we only have authority over the interpreter.

Recommendation: Ms. Drummond said that another recommendation by the BCI is that applicants can come to the MCD office any day of the week for an evaluation.

Rationale: She said the rationale is that this will formalize procedures that are already being used.

She said there was some discussion about the rule that says a person (can retest 6 months after they have been informed of their results) has to wait for 6 months once they have received their evaluation letter indicating their certification level, if the person wants to improve their level. (the concern is that because it is taking 6 months to get results) It was recommended that it should be 6 months from the date of the evaluation since it can currently take 6 months to get results. She said it is felt 6 months could be enough time to train and better their skills to attain the next level of skill. She did not see a formal recommendation for changes to this rule.

Recommendation: If an interpreter has any reason to question their evaluation they can request a supplementary evaluation.

Rationale: In the past if the interpreter questioned their evaluation they could file a formal complaint through the grievance process with the BCI. The BCI would have to meet and discuss the grievance and see if they had a reason to question the evaluation that meant their standards and make a decision as to whether or not the interpreter deserved another evaluation. A supplementary evaluation has to be paid for by the applicant and would be evaluated by 4 different evaluators, those scores from the 4 new evaluations would be averaged with original evaluations. If the result is a higher level of certification – the supplementary fee would be refunded. If the result were a lower certification than the original evaluation indicated, the fee would not be refunded and the results would be based upon original evaluation. The other part of the discussion was to not refund fees at all because it could appear that it was in the BCI or MCD's monetary incentive to not grant a higher evaluation. Ms. Drummond said the supplementary evaluation requests would be separate and not replace the grievance process. An interpreter could still file a grievance as outlined in the rule, to grieve a particular evaluation.

Recommendation: Restricted permit in education would be called a restricted certification in education. It was also recommended that the scope of work that an interpreter can engage in, be expanded from K-12 to include all education settings including post secondary.

Sandy asked Dr. Miller to confirm the BCI's recommendations and he said the BCI did recommend that all changes be implemented with only minor changes. The only significant "hinge" was the provisional and apprentice expiration from one year to two year, instead of an annual renewal. He did remind the Committee that the MCD needs to look at the BCI's recommendations and vote on them. Ms. Drummond asked Dr. Miller to confirm the language change to retest and he responded that the BCI recommended that it be 6 months after the date of the actual evaluation.

Recommendation: That the BCI establish a rule that allowed the conversion of NAD, RID, and KQAS certification to bypass the requirement that says you have to send in materials that tell us how you do your testing, what your standards are etc because the NAD and RID will not provide that information to any one.

Rationale: She said what she found out RID does not even provide this information to its evaluators, so they are certainly not going to provide that information to us. This has been a stumbling block in our converting NAD and RID certification. This will change the language in the current rule to "if needed" instead of "you must submit...."

Recommendation: the word Permit Certification Maintenance (PCM) be to changed Continuing Education Units (CEUs).

Recommendation: Get rid of temporary permits.

Recommendation: Delete grandfather section of the rules.

Recommendation: Change the performance evaluation fee from \$90.00 to \$125.00.

Rationale: The additional money is needed for training as well as other things.

Recommendation: Supplementary evaluation fee would be \$100.00.

Recommendation: The fee to apply for conversion would be lowered to \$50.00.

Recommendation: All fees would be non-refundable.

Recommendation: Title of the requisite skill level would be changed to skill level standards.

Rationale: The MCD does not have the authority to enforce requisite skill levels. Licensure has that authority and should establish a system for enforcing the standards.

Ms. Drummond stated that we could develop our own requisite skill levels. We could incorporate the suggested guidelines made by the BCI into our set of rules and enforce them. This is something that needs to be looked at and discussed. Along with the rule that the Committee has talked about filing a rule that says an interpreter cannot practice beyond their level.

Recommendation: Delete the rules regarding mentorship.

Rationale: There's never been a mentorship program established at the MCD. The rule indicates that there has to be training offered to the mentors to participate in. There has to be documentation of the mentorship. The rule that the Committee has talked about filing in regard to an interpreter not practicing beyond their level would conflict with a mentorship program as any mentorship would have to fall within their skill level and may not be effective. Committee needs to look at rules that would allow mentorship to occur.

Recommendation: Delete the rule about enforcement.

Rationale: It would be deleted because MCD does not have the authority to enforce.

Ms. Drummond said that the following are statistics she gathered in regard to the number of interpreters certified in the specific skill levels during the meeting:

- Level 1 – 70
- Level 2 – 144
- Level 3 – 114
- Level 4 – 75

- Level 5 – 98
- RPED – 10

Ms. Drummond stated that is a total of 511 people who hold current certifications. Ms. Goose verified that the State Committee of Interpreters sent out 364 renewals. Dr. Miller said that these are approximate numbers and that some of these people have moved or some of the certifications have expired since these numbers were pulled from different databases. The Committee recommended that staff obtain a list of currently certified interpreters and compare it with currently licensed interpreters and mail letters to those that currently certified but not licensed to make them aware they need to be licensed in order to interpret.

Dr. Miller said that he felt that the rules were consensually agreed upon and the MCD should be voting on the rule changes at their next meeting.

Ms. Drummond asked Dr. Miller since one of the recommended rule changes was to expand restricted education certification to all educational settings, including post secondary, if it was possible for an interpreter to take the general MICS exam and score a level 3 in transliterating and a level 1 in interpreting, for the general exam the person would obtain a certification at level 1 but that person would also be eligible for a RPED. Dr. Miller said that the person would not get both certifications, it would be one or the other. She said this raises some concerns because an interpreter who has demonstrated the same level of skill but chooses to get a general certification would not be allowed to work in post secondary settings. Although, if that person decided to have a RPED then they would be allowed to work in post secondary setting but yet have demonstrated the same level of certification. Ms. Drummond said that this was a right to work concern for her and wanted to know if this concern had been discussed by the BCI. Dr. Miller said the history in Missouri as he understood it was that a deal had been struck with DESE and that is how the RPED came about.

Ms. Drummond requested that legal counsel research the potential problems in regard to the right to work and the potential liability that the State Committee of Interpreters and its members would be held to.

- Board Presidents Meeting -- Kim McEnulty attended this meeting in February. She reported that it was her understanding that the bigger boards have concerns about the monies and where the money is going. She said some insights were shared and she felt positive after the meeting. The next meeting is scheduled for September, 2001.
- Francis Howell School District – Loretto Durham gave the presentation and said there were 10 people in attendance. She said the presentation went well and that she clarified the difference in the rules between the State Committee of Interpreters and the Missouri Commission for the Deaf.

-Upcoming

Dr. Miller said next meeting of MCD is April 24, 2001 and the next BCI meeting is June 29, 2001. He said these are the next scheduled meetings, but meetings could be called and scheduled before then.

Dr. Miller asked for comments or suggestions as a Board.

Report from Executive Director:

- *Newsletter* -- The draft of the newsletter was reviewed by the committee. The committee still wants to see article an about licensure versus certification in the newsletter. Ms. Durham will write a question and answer article. The committee indicated they did not see a need for the application process to be explained in the newsletter since this newsletter is being sent to interpreters already licensed. Ms. Goose indicated the deadline for submission of information is March 30, 2001.
- *Renewal Update*
 - 24 Interpreters returned their renewal notice with an indication they would not be renewing their license.
 - 49 renewal applications and fees had been received and were pending in the renewal process.

Ms. Goose requested clarification from the Committee members in regard to interpreters who have called and indicated they want to renew their license but their certifications have expired. The Committee indicated that the licensee's could either return their renewal applications and renewal fees prior to the deadline date and the office could place the renewal on hold until office staff are told the licensee has received their current certification card or the licensee's can submit their renewal application and fees to include the penalty fee once they have been notified that they are currently certified.

The committee discussed the need to possibly change the requirements to renew to include that an interpreter must provide proof of current certification in order to renew.

A motion was made by Loretto Durham and seconded by Sandy Drummond to close for the purpose of discussing #3 at 1:30p.m. The motion carried unanimously.

A motion was made by Sandy Drummond and seconded by Carrie McCray to return to open session at 1:45 p.m. Kimberly McEnulty, Loretto Durham, Carrie McCray, Sandy Drummond, and Betty Kramer voted unanimously.

A motion was made by Sandy Drummond and seconded by Loretto Durham that staff automatically approve renewals for the 2001-2002 renewal period, even if we have indication that they do not have current certifications and are pending certification results. Loretto Durham, Carrie McCray, Sandy Drummond, and Betty Kramer voted unanimously. Kimberly McEnulty was opposed.

Ms. Goose suggested we send out a letter to interpreters who have not renewed their licenses and request a response from them as some of the interpreters could have dropped out of the profession.

- May 18, 2001 Conference Call will be from 12:30 p.m. to 3:30 p.m. Ms. McEnulty said that she would need the call to end at 3:30p.m.
- July 13, 2001 meeting will be held at the Division of Professional Registration. Ms. Drummond indicated that she thought this meeting was set up as a face to face meeting in order to meet with the deaf public member. Ms. Drummond requested a status update on the appointment of a deaf public member. Ms. Goose reported that BEHIS Board member recommended someone to her and a packet has been mailed out. She said at this time we do not have any further information. Ms. Drummond indicated she would have some notice placed on the Missouri deaf list serve to submit letters of interest to Division Director, Marilyn Williams. The Committee would like to discuss possible rule changes at that time.

September - this meeting will be talked about and the date established if necessary at the July meeting.

November meeting needs to be changed to October to coincide with convention and would be face to face. However the committee may want to re-evaluate when this meeting will be held based on the how involved the committee members are before, during and after convention

Rules

- 4 CSR 232-1.040 Fees – increase in renewal fee and decrease in temporary license fee.
- 4 CSR 232-3.010 General Principles

Missouri Commission for the Deaf Rules

The recommendations to changes to the MCD rules were discussed previously and the discussion is documented under meetings attended.

The committee wanted to review the rule that is on hold that includes language in regard to mentorship. Ms. Drummond said the rule we have on hold indicates that you cannot practice beyond your certification. She said at a previous MCD meeting Craig Jacobs, Legal Counsel for MCD, requested that the committee change the language to reflect an exemption when someone is working under a mentor, etc. Ms. Drummond stated that the Committee didn't like that and she felt it needed to be discussed again in light of that fact that the MCD is going to come up with internship/practicum certification which is basically the provisional permit. The internship/practicum will last for a year and participants will have to meet certain requirements. This would affect licensure in that the participants would want to obtain a license and our rules need to be changed to allow someone to practice under a mentorship or student internship, etc, legally. Ms. Drummond stated that the Committee may want to wait until the rule has been developed by the BCI and MCD to determine what that means for licensure and renewal.

Clarification regarding interpreter duty to report

A motion was made by Loretto Durham and seconded by Carrie McCray to close for #3 at 2:20 p.m. Ms. McEnulty, Ms. Durham, Ms. McCray, Ms. Drummond, and Ms. Kramer all voted in favor.

A motion was made by Sandy Drummond and seconded by Loretto Durham to return to open session at 2:35 p.m. Ms. McEnulty, Ms. Durham, Ms. McCray, Ms. Drummond, and Ms. Kramer all voted in favor.

Ms. McEnulty indicated to the visitors that the Committee had closed to discuss some questions in regard to mandatory reporting and confidentiality. She said this was situation specific and that the committee would refer the interpreter to seek legal counsel to guide them through the process.

A motion was made by Loretto Durham and seconded by Sandy Drummond to close at 2:40p.m. for the purpose of discussing #1, #3, #9. Ms. McEnulty, Ms. Durham, Ms. McCray, Ms. Drummond, and Ms. Kramer all voted in favor.

The Kansas State Convention is April 27-28, 2001. Ms. McCray and Ms. Drummond indicated they would be attending. The requested staff put together 50 application packets by April 24, 2001 and Ms. Drummond will pick them up when she attends the MCD meeting.

A motion was made by Loretto Durham and seconded by Sandy Drummond to adjourn at 4:45 p.m. Ms. McEnulty, Ms. Durham, Ms. McCray, and Ms. Drummond all voted in favor. Ms. Kramer was absent.

Executive Director

Date approved by Committee